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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HUNT/PENTA, a Joint-Venture of HUNT
CONSTRUCTION GROUP, INC., and PENTA
BUILDING GROUP, LLC,

Plaintiffs,

v.

AON RISK SERVICES SOUTH, INC., and
Does 1-50, inclusive,

Defendants.

AND RELATED MATTERS.

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Case No.: 2-16-cv-01563-JAD-NJK

Removed Case No.: A-16-736809-C

**STIPULATION AND ORDER EXTEND
DISCOVERY DEADLINES
(Second Request)**

IT IS HEREBY STIUPLATED AND AGREED between the parties that some of the

discovery dates be continued by adding approximately 30 days to the discovery schedule. The stipulation would change the close of discovery from August 28, 2017 to September 27, 2017. The primary purpose of this extension is to allow an additional 30 days to conduct additional depositions and review recently produced voluminous records.

I. Legal Authority

After the court has set a scheduling order, it may be changed upon a showing of good cause. LR 26-4. Good cause is shown for the discovery extension based upon the Parties' discovery progress, including extensive efforts at setting a workable deposition schedule in different states. *Id.*; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.3d 604, 608-09 (9th Cir. 1992). The good cause inquiry focuses primarily on the movant's diligence. *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir. 2000). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. The Court has broad discretion in supervising the pretrial phase of litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

II. Proposed Schedule

Activity	Prior Date	Proposed Date
Discovery Cutoff	August 28, 2017	September 27, 2017
Dispositive Motions	September 27, 2017	September 27, 2017
Joint Pre-Trial Order	October 27, 2017	October 27, 2017

The Parties entered into this Stipulation in an effort to complete discovery. Good cause is shown for the discovery extension based upon the Parties' discovery progress, including extensive efforts at setting a workable deposition schedule in different states to accommodate many conflicting calendars that must be reconciled to get additional deposition testimony. To the extent that this request is untimely, excusable neglect is shown by the Parties' diligence in resolving their discovery issues and disagreements without contested motion practice. No prejudice is done to any party because the Parties agree to this discovery extension. The parties

1 are not delaying the conclusion of this matter by the way of trial or otherwise; rather, the Parties
2 are trying to garner all the necessary information and evidence needed to litigate this matter. No
3 trial date has yet been ordered.
4

5 Dated: August 23, 2017.

Respectfully submitted,

6 **BRISCOE LAW GROUP**
7 **PILLSBURY WINTHROP SHAW**
8 **PITTMAN LLP**
9 **HUNT CONSTRUCTION, INC.**

KOLESAR & LEATHAM
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10 /s/ Shemilly A. Briscoe

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24 **DENIED** as moot.

25 IT IS SO ORDERED.

26 Dated: August 24, 2017

27 
28 _____
NANCY J. KOPPE
United States Magistrate Judge